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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/617,348	11/14/2003	John Apostolopoulos	200209976-1	2739
22879 7590 06/14/2007 HEWLETT PACKARD COMPANY P O BOX 272400, 3404 E. HARMONY ROAD INTELLECTUAL PROPERTY ADMINISTRATION FORT COLLINS, CO 80527-2400			EXAMINER LEMMMA, SAMSON B	
			ART UNIT 2132	PAPER NUMBER
			MAIL DATE 06/14/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/617,348

Applicant(s)

APOSTOLOPOULOS, JOHN

Examiner

Samson B. Lemma

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 March 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6, 10, 12-14, 17-25, 29-34 and 36-44 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6, 10, 12-14, 17-25, 29-34 and 36-44 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

1. This office action is in reply to an amendment filed on March 20, 2007.
Claims **7-9, 11, 15-16, 26-28, 35 and 45** are canceled. No New claims are added. Thus claims **1-6, 10, 12-14, 17-25, 29-34 and 36-44** are pending/examined. All independent claims **1, 20 and 34** and dependent claims **2-3, 12-14, 36-37 and 42-43** are amended.

Response to Arguments

2. Applicant's remark/arguments filed on March 20, 2007 have been fully considered but are moot in view of new ground(s) of rejection.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
4. Independent **claims 1, 20 and 34** are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Independent claims 1, 20 and 34 recites the limitation "...information associating a **relative importance** with each of said frames". The limitation raises a question whether or not it actually referees to the "a dependency" as it is disclosed on the applicant's specification page 17, paragraph 1st, line 5 or relative priority as it is disclosed on applicant's specification page 22, line 5. The "relative importance" with out explicit definition is such a broad term. It is required that such term is elaborately defined in the claims itself so that one of ordinary skill in the art

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would understand what it means without ambiguity. For the sake of examination the office interpreted the term as "relative priority".

The claim has to be corrected to avoid ambiguity.

5. **Claims 2-6, 10, 12-14, 17-19, 21-25, 29-33 & 36-44** depend from the rejected independent claim 1, 20 and 34, and include all the limitations of the respective claims, thereby rendering those dependent claims indefinite.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
- (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
7. **Claims 1-6, 10, 12-14, 17-25, 29-34 and 36-44** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Susie J. Wee** (hereinafter referred as **Wee**)(Reference U) (Publication date: May 2001, IEEE) in view of **Ruibiao Qiu**. (hereinafter referred as **Qiu**) (An article Published on November 6, 2001, by Washington University, Department of Computer Science) (See Reference U)
8. **As per independent claims 1, 20 and 34 Wee discloses, a method for providing transcodability to media data in a network**, [Abstract] comprising: **separating an amount of data into a segment** [first Video frame is segmented into tiles]; and

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combining said segment and a transcoder readable payload header [page 3, 1st column, 2nd paragraph] (see, unencrypted header/ transcoder readable payload header] **into a data packet payload**, [combining the unencrypted header/transcoder readable payload header with the progressively encrypted scalable video data] **wherein said segment comprises data coded in a plurality of frames** [page 3, 1st column, 2nd paragraph and see figure 4, SSS coding] (As it is shown on figure 4, on the first box, "the video frames", which implies plurality of frames are segmented into tiles/these implies that each tiles are comprise of plurality of frames. Furthermore, As shown on figure 4, ref. Second box, these tiles are coded. Therefore these meets the limitation recited as wherein said segment/tiles comprises data coded in a plurality of frames)

Wee does not explicitly discloses the limitation recited as "transcoder readable payload header comprises information associating a relative importance with each of said frames".

However, in the same field of endeavor **Qiu**, discloses network packet header/transcoder readable payload header layout comprises of information associating a relative packet priority with each packets/frames. [See for instance, page 3, Table 1 and the explanation underneath furthermore see also second page third paragraph priority level]

It would have been obvious to one having ordinary skill in the art, at the time the invention was made, to combine the features of network packet header/transcoder readable payload header layout comprises of information associating a relative packet priority with each packets/frames as per teachings of **Qiu** into the method as taught by **Wee** for the purpose restoring the video sequences/strams with reasonable quality despite the packet drops in the code stream. [See for instance *Qiu* on the first page introduction, second paragraph, last sentence.]

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9. **As per claims 2, 21-22 and 36 the combination of Wee and Qiu discloses, a method as applied to claims above. Furthermore, Wee discloses the method**

wherein said frame is

coded using a method comprising I, P and B-frames. [Coding the frame with the method comprising I, P and B-frames is inherently included as shown in figure 1D, applicant submitted prior art)

10. **As per claims 3 and 37 the combination of Wee and Qiu discloses, a method as applied to claims above. Furthermore, Wee discloses the method** wherein said frame is coded using an MPEG coding scheme. [page 2, 1st column, last paragraph]

11. **As per claims 4-6, 25 and 39-40 the combination of Wee and Qiu discloses, a method as applied to claims above. Furthermore, Wee discloses the method** further comprising

encrypting said segment. [page 3, 1st column, 2nd paragraph]

12. **As per claim 10 the combination of Wee and Qiu discloses, a method as applied to claims above. Furthermore, Wee discloses the method** wherein said data packet payload is combined in a data packet with a packet header independent of said transcoder readable Payload header. [page 3, 1st column, 2nd paragraph]

13. **As per claims 29, 38 and 41-42 the combination of Wee and Qiu discloses, a method as applied to claims above. Furthermore, Wee discloses the method wherein said transcoder readable payload header enables transcoding of said packets while said payload remains encrypted.** [See 5.1, "Scalable Coding-Packetization"] *(The scalable video coding and packetization modules of the SSS coder were jointly designed to enable downstream transcoding operations to be performed by simple packet truncation. SSS coding is similar to bitstream scalable video coding, but it further partitions the video frames into scalable packets that correspond to*

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*predetermined regions or tiles in the video sequence. The JPEG 2000 image compression standard has many of these characteristics of independently coded tiles and scalability within the tile. We build upon these concepts by extending this level of scalability to video frames and by combining it with the packetization process; furthermore, we jointly design this smart packetization **with the encryption process.**)*

14. **As per claim 12-14, 30-32 the combination of Wee and Qiu discloses, a method as applied to claims above. Furthermore, Wee discloses the method** wherein said information comprises truncation points. [Page 3, read 4.2, "SSS Transcoding", "truncating"]
15. **As per claim 17-19, 23-24, 33, 43-44 the combination of Wee and Qiu discloses, a method as applied to claims above. Furthermore, Wee discloses the method** further comprising forwarding said data packet. [Abstract and page 1-4, column 2]

Conclusion

16. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).
- A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Samson B Lemma whose telephone number is 571-272-3806. The examiner can normally be reached on Monday-Friday (8:00 am---4: 30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, BARRON JR GILBERTO can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SAMSON LEMMA

S.L.
06/02/2007


KAMBIZ ZAND
SUPERVISORY PATENT EXAMINER